

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICHARD SULLIVAN,

CASE NO. c-10-01233 PVT

Plaintiff(s),

v.

STIPULATION AND ~~[PROPOSED]~~  
ORDER SELECTING ADR PROCESS

SMURFIT STONE CONTAINER CORP.

Defendant(s).

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

**Court Processes:**

Non-binding Arbitration (ADR L.R. 4)  
Early Neutral Evaluation (ENE) (ADR L.R. 5)  
Mediation (ADR L.R. 6)

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

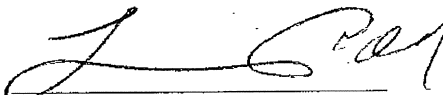
**Private Process:**

Private ADR (please identify process and provider) Mediations; Barry Winograd

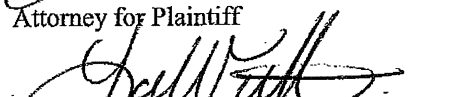
The parties agree to hold the ADR session by: June 21, 2010  
the presumptive deadline (The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)

other requested deadline \_\_\_\_\_

Dated: May 26, 2010

  
Attorney for Plaintiff

Dated: 5/26/10

  
Attorney for Defendant SMURFIT STONE  
CONTAINER CORPORATION

Dated: \_\_\_\_\_

Attorney for Defendant FRITO-LAY NORTH  
AMERICA, INC. and FRITO-LAY, INC.  
and PEPSICO, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICHARD SULLIVAN,

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v.

SMURFIT STONE CONTAINER CORP.

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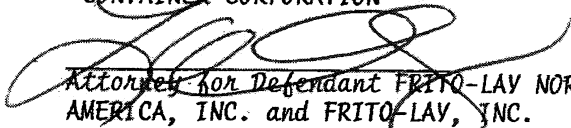
Dated: May 26, 2010

  
Attorney for Plaintiff

Dated: \_\_\_\_\_

Attorney for Defendant SMURFIT STONE  
CONTAINER CORPORATION

Dated: May 27, 2010

  
Attorney for Defendant FRITO-LAY NORTH  
AMERICA, INC. and FRITO-LAY, INC.  
and PEPSICO, INC.

When filing this document in ECF, please be sure to use the appropriate ADR Docket Event, e.g., "Stipulation and Proposed Order Selecting Early Neutral Evaluation."

**{PROPOSED} ORDER**

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

Non-binding Arbitration

Early Neutral Evaluation (ENE)

Mediation

XXPrivate ADR

Deadline for ADR session

90 days from the date of this order.

other

IT IS SO ORDERED.

Dated: 6/10/10

  
UNITED STATES MAGISTRATE JUDGE  
DISTRICT